| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/044,936 | 03/20/1998 | KENNETH ARNOLD | 6502.0116 | 9227 |

7590          04/29/2002

BRIAN E LEDELL
FINNEGAN HENDERSON FARBOW
GARRETT & DUNNER
1300 I STREET NW
WASHINGTON, DC   200053315

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FINNEGAN, HENDERSON,
FARBOW, GARRETT & DUNNER, LLP.

| EXAMINER |
|---|
| HAILU, TADESSE |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2173 | |

DATE MAILED: 04/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Technology Center 2100

Docketed___5·2·02___ Attorney___JAB/WOO
Case____6502.0116
Due Date____7·29·02___
Action _____
By _____

PTO-90C (Rev. 07-01)

| Office Action Summary | Application No. 09/044,936 | Applicant(s) Kenneth Arnold |
|---|---|---|
| | Examiner Tadesse Hailu | Art Unit 2173 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ___3___ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on *Feb 6, 2002* _____ .

2a) ☐ This action is **FINAL.**    2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) *1-19* _____ is/are pending in the application.

   4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-19* _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved

12) ☐ The oath or declaration is objected to by the Examiner.

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**Priority under 35 U.S.C. § 119**

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13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
   a) ☐ All b) ☐ Some* c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   *See the attached detailed Office action for a list of the certified copies not received.

14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). *30, 31*

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

U. S. Patent and Trademark Office
PTO-326 (Rev. 9-00)                    Office Action Summary                    Part of Paper No. 33

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## DETAILED ACTION

1.      This Office Action is in response to Request for Reconsideration dated 2/6/2002 for

patent application 09/044,936 filed on March 20, 1998.

*Priority*

2.      The Application claim priority on provisional application No. 60076,048 dated

2/26/1998.

*Information Disclosure Statement*

3.      Information Disclosure Statements  submitted and are considered (papers # 30 and 31).

*Status of the claims*

4.      Claims 1-19 are pending.


### *Claim Rejections - 35 U.S.C. § 103*

5.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of
this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject
matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art
to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6..      Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ford et al

(5,963,947) and  Lavana et al., "Executable Workflow:...."

Per claims 1, 7, 13, 14 and 19:

Ford et al ("Ford") relates to a distributed computer systems, wherein a plurality of attached client accessing a database (or alternatively accessing shared memory space) and users/developers can add new functionality to this database system dynamically. Ford discloses object flow in a shared memory space; Ford also discloses the interaction of a computing resources and a shared memory space, Tuplespace (or alternatively Javaspace); also discloses storing information (see Ford: Abstract, col 2, lines 10-col 5, lines 67, col 6, lines 1-col 8, lines 63).

But all these disclosed feature of Ford are not implemented by graphical or image representation for creating object flow under GUI. Thus, Ford fails to incorporate his teaching with graphical representation mode using graphical user interface. However, Lavana et al uses Tcl/Tk tool to implement a GUI, and dynamically generates code to draw graphics, such as icon node and transitions edges connecting nodes (see the whole reference, specially Fig. 6). Thus, using Tcl/Tk tool Lavana et al teaches displaying both computing resources and shared memory space images under graphical user interface. Therefore, it would have been obvious to one having ordinary skill in the art at the same time the invention was made to incorporate Lavana's Tcl/Tk tool with Ford data implementation, since Ford doesn't show a displayed images of computing device and object flow links, using Lavana's Tcl/Tk tool Ford will be able to show visually these images. Moreover, it is easier to observe when data is manipulated in a GUI environment.

Per claims 2, 8 and 15:

Ford and Lavana disclose that Javaspace is based on Tuplespace (see Ford: col 4, lines 21-27).

Per claims 3-5, 9-11, 16-18:

Ford and Lavana disclose that computing resource *take, read* entries from and *write* entries to a shaded memory space (see Ford: col 3, lines 19-32, col 6, lines 3-18).

Per claims 6 and 12:

Ford and Lavana disclose dynamically customizing or adding a modified program code (Ford: col 8, lines 26-48).

*Response to Arguments*

7.    Applicant's arguments with respect to Follow et al reference under U.S.C. 103© is considered and not qualified as a prior art.

*Conclusion*

8.    Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Tadesse Hailu*, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 7:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, *John Cabeca*, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51

9.    Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

*Tadesse Hailu*                                                                    19 April 2002

RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

| **Notice of References Cited** | Applicant/Patent<br>Kenneth Arnold | Application/Control No.<br>09/044,936 | |
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| | Examiner<br>Tadesse Hailu | Art Unit<br>2173 | Page 1 of 2 |

## U.S. PATENT DOCUMENTS

| | | Document Number<br>Country Code-Number-Kind Code | Date<br>MM-YYYY[1] | Name | Classification[2] |
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## NON-PATENT DOCUMENTS

| | | Include, as applicable: Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages |
|---|---|---|
| | U | Lavana etal., "Executable Workflows: A Paradigm for Collaborative Design on the Internet," 6/1997, 6 pages |
| | V | Ciancarini et al., "Coordinating distributed applets with Shade/Java," 2/1998, pp. 130-138 |
| | W | Koshizuka et al., "Window Real-Objects: A Disributed Shared Memory for Distributed Implementaion of GUI Applications," 11/1993, pp. 237-247 |
| | X | Trehan et al., "Toolkit for Shared Hypermedia on a Distributed Object Oriented Architecture," 1993, pp. 1-8 |

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).   [1] Dates in MM-YYYY format are publication dates.   [2] Classifications may be U.S. or foreign.

| | Notice of References Cited | Applicant/Patent<br>Kenneth Arnold | Application/Control No.<br>09/044,936 | |
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| | | Examiner<br>Tadesse Hailu | Art Unit<br>2173 | Page 2 of 2 |

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|---|---|---|
| | U | Begole et al., "Transparent Sharing of Java Applets: A Replicated Approach," 10/1997, pp. 55-64 |
| | V | Delcamber et al., "Simulation of the Object Flow Model: A Conceptual Modeling Language for Object-Driven Applications ,"1993, pp. 216-225 |
| | W | Braine et al., "Object-Flow," 1997, pp. 418-419 |
| | X | |

\* A copy of this reference is not being furnished with this Office action. See MPEP § 707.05(a).    [1] Dates in MM-YYYY format are publication dates.    [2] Classifications may be U.S. or foreign.